#### **NORTHERN SECURITIES** FILES BRIEF IN REPLY.

Morgan, Bacon and Lamont Claim Merger Was a Lawful Parchase Under New Jersey Charter.

Washington, Dec. 9.-A brief in behalf of Messrs. G. Pierpont Morgan, Robert Bacon and Daniel S. Lamont, appellants, with others in the case of the United States vs. the Northern Securities Company, was filed in the United States Supreme Court to-day by Attorneys Francis Lynde Stetson and David Wilcox. They claim that the so-called merger was entirely lawfui and say:

"These transactions have consisted "These transactions have consisted merely in the organization of a lawful corporation of New Jersey, and in the sale and purchase by it of property lawfully salable. All acts done in relation to the organization of the Northern Securities Company and to the purchase by it of the shares of stock of the railway companies and to the sale thereof by the owners were expressly authorized by law.

"The legal effect of the transaction has been that each individual who has transferred his property to the securities company has obtained fur it something, an interest in a company, holding stock of the other railway company as well. It is manifest that this constituted a sale of the property."

"As construed and applied by the Cir-

MAY BUILD ITS OWN TRACK.

New York, Dec. 9.-A disagreement over the conditions under which the St. Louis obtained trackage rights over the Iron have resulted in the revival of plans by

HILL MAY BUILD ROAD.

REPUBLIC SPECIAL ident of the Great Northern Railroad,

# ST. LOUIS RAILROAD TIME-TABLE

ST. LOUIS TIME.	
Arrivals and Departures of Trains at Union Station.  *Daily, Union Station.  *Daily except Sunday.  #Bunday uniy.	Train. Depart. Arrive. Florida Limited, via Nash- ville, Atlanta, Chattanoo- ga, Macon, Thomasville, Jackspride St. Augustine
Except Monday.   Daily except Suturday and Sunday.   ISaturday only.   ISaturday and Sunday only.	and Tampa
Train.  B. & O. S-W. R. R.  Inclinati, Louisville, Washington, Haltimore, Philance, philance, philance, philance, philance, philance, New York Express, 226 am *1.25 pm Inclinati, Louisville, Pittsburg, Washington, Haitimore Philadelprin and New York Fast Mail	lanta, Mobile, New Orleans and Jacksorville, Fla.; Charleston, S. C
Sheinnati Accommodation. 5:16 am 16:22 pm Sheinnati, Lodieville, Pitts- burg, Washington, Batt- more, Philadelphia and New York Royal Blue Limited . 5:49 pm 18:22 am lineannes Accommodation. 5:49 pm 18:22 am lora Accommodation. 5:39 pm 18:22 am Vest Baden and French Lick Springs, via Monon Route. 19:20 am *5:25 pm	ST. LOUIS MERCHANTS BRIDGE TERMINAL RAILWAY SUBURBAN THAIN SERVICE. Linsthound—Leave Eighth and Grathet Streets, daily—9:10 a. m.; 2:00, 5:00, 6:32 p. in. Except Sunday—4:06, 5:16; 1:37, 10:30 a. in.; 12:05, 3:34, 5:32 p. m. Saturday and Sunday only—1:117 p. m. Sunday only—5:24, 7:05 a. m.; 12:75 p. m. Leave Washington avenue, only—5:14 a. m.;
FRISCO SYSTEM.  Depart.  Acrive.  Alley Park Accommodation. 16:50 am 14:22 am alley Park Accommodation. 17:30 pm 17:55 am alley Park Accommodation. 17:30 pm 17:55 am acide Accommodation. 17:30 pm 17:55 am acide Accommodation. 17:30 pm 17:55 pm 17:30 pm 17:35 pm 17:30 pm 17	2:05, 5:05, 5:37 p. m. Except Sunday-2:14 s. m., 12:05, 5:05, 6:37 p. m. Except Sunday-4:05, 6:17, 7:41, 10:34 s. m., 12:12, 3:46, 8:36 p. m. Suturday and Sunday only-1:125 p. m. Sunday only-5:19, 7:42, 8:36, 9:39, 11:30 a. m.; 12:25 p. m. Weetbound — Leave Granite City, daily-1:12, 2:46, 5:35, 7:12 p. m. Except Sunday-5:15, 6:04, 7:02, 8:36, 9:30, 11:30 a. m.; 4:25, 8:17 p. m. Suturday only-1:13:5 p. m. Sunday only-1:13:5 p. m. Except Saturday and Sunday-6:42 p. m. Leave Stadison, daily-1:16, 2:39, 6:06, 7:17 p. m. Facept Sunday-6:55, 6:09, 7:05, 8:29, 9:35, 11:34 a. m.; 4:21, 9:21 p. m. Saturday only-1:13:19 p. m. Sunday only-1:13:5 p. m. Saturday and Sunday only-1:13:5 p. m. Saturday and Sunday only-1:13:5 p. m.
Worth, Waco and Brown-	ST. LOUIS-PEORIA LINE. (See C., P. & St. L.)
wood	SUCTHERN MAILWAL.

gfield, Proris and S:14 am 7:30 pm MISSOURI PACIFIC RAILWAY.

cal Express Kansas City.
Pueblo, Denver, Sait Lake
City and San Francisco... \$1.00 am \*8.01 pm
Washington Accommodation. \$1.00 am \*8.01 pm
Washington Accommodation. \$1.00 pm \$7.50 am
St. Joseph Jopiin, Wichitz
and Kansas Limited and
Southwest Missour; ... \$1.00 pm \$7.50 am
Cheve Coent Lake trains leave Union Station
at \$1.10 a. m., \$2.15 a. m., \$1.20 p. m. and \$4.31
c. m.

11:00 p. m., =4:10 p m., 18:40 a. m., 16:00 p. m., =4:35 p. m. and 111:30 p. m. MOBILE AND OHIO. Depart. Train, ew Orleans, Mobile, Merid-ian, Jackson, Cairo, Mur-physboro, Sparta, all points South and Southeast, ew Orleans, Mobile, Merid-ian, Montsomery, Atlanta, Jackson, Cairo, all points in Florida and the South and Southwest. \*8:31 pm \*7:36 am ysboro. Sparta and ter Accommodation.... 15:10 pm 111:16 am

BIG FOUR.

SHORE NEW YORK CENTRAL AND
SON RIVER HOSTON AND ALRANY
CHERAPEAKE AND OHIO BAIL-WAT.
Train. Depart. Arrive.
dianapolis Express. 17:32 am 15:30 pm
ew York and Boston Limlited 18:30 am 19:45 pm
nickerbocker Special—New
York Boston, Washinston,
Baltimore and Philadelphia.
lattoon and Alton Accommodation 18:20 pm 19:46 am
attoon and Alton Accommodation 18:20 pm 19:46 am
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CHICAGO AND ALTON.
CHICAGO AND ALTON.
Chicago Trains.

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Arrive. sonville de l'autred de l'autred de L'autred de l'autred de l'autred de l'autre de l'aut Capital City 17:15 pm -10:19 an ILLINOIS CENTRAL. Worthern Lines. Depart.

ringited. Presport and purpose of the property BURLINGTON ROUTE - UNION STA-

Depart. Arrive. 19:00 am 7:19 am Oregon.

City Express for St. 7:19 am 7:19 am 7:19 am 7:19 pm 7:15 pm

Arkaness and Texas Mail . 155 am 4:56 pm 1135 am 156 pm 157 pm 158 pm 15 PR. LEUIS, E. C. & COLORADO B. B.

on.
"The decree of the Circuit Court trans-cended the authority of the court under

Frisco Revives Plan for Entering New Orleans.

and San Francisco Rallroad was to have Mountain into New Orleans is reported to rallroad tickets during the World's Fair period was asked for in the United States have resulted in the revival of plans by the former company for building an independent line. Options on right-of-way are said to have been already renewed.

Negotiations looking to the use of the Iron Mountain between Memphis and Baton Rouge, La., have been under way about a year. It is understood that the Frisco officials would not agree, however, to abstain from seeking local traffic between the points mentioned, and it was upon this point that negotiations split. The Frisco already has invested a large sum in terminal properties at New Orleans.

Philippine Traffic Problem to Be

Washington, Dec. 9 .- James J. Hill, pres manifest that this constituted a sale of the property."

"As construed and applied by the Circuit Court the antitrust act is unconstituted in the Philippines. He has been in continual, in that it discriminates between persons in the matter of property rights made no direct proposal to undertake the

ST. LOUIS SOUTHWESTERN RAIL-WAY. ("COTTON BELT ROUTE.")

Train, Depart. Arrive.

Arkansas and Texas Mail... 3:55 sm \*5:55 pm

Arkansas and Texas Express \*2:65 pm \*7:12 am

ST. LOUIS AND HANNIBAL RAILWAY
(Vin Wabush),
Train, Depart, ArriveMail and Express, 7:40 am 11:10 am
Mail and Express, 5:05 pm 16:15 pm

TOLEDO, ST. LOUIS AND WESTERN.
(CLOVER LEAF ROUTE.)
Train.
Depart. Arrive.

York - 7:30 pm 7:40 am Bastern Express—Hitnois, In-diana and Ohio points... 7:23 am 75:06 pm Charleston Accommodation... 5:00 pm 710:36 am

WABASH.

Chicago Line.

Banner Express—Chicago... 9:22 am 7:31 pm
Banner Limited—Chicago... 9:25 pm 7:23 am
Midnight Limited—Chicago... 91:32 pm 8:01 pm
Kansas City Express 9:00 am 6:00 pm
Kansas City Express 9:00 am 6:00 pm
Kansas City Fast Mail... 2:250 pm 1:50 am
Northwestern Line.

From Union Station—
Council Bluffs and Omaha
Express 5:00 am 1:50 am

Express

Minneapolis and St. Paul

Limited 2:16 pm 2:00 pm
Cannon Bali—Omaha 6:20 pm
Citumwa and Des Moines
Express
Ottumwa Per Moines and
Minneapolis Jamited 7:30 pm 7:00 am

West — Moberly and Kanass
City Local 7:40 am 6:50 pm
Moberly Local 7:40 am 6:50 pm
Moberly Local 5:05 pm 11:10 am
East — Decatur and Jackson—V:60 pm 11:10 am
St. Charles 5:50 pm 11:10 am
St. Charles 7:12 pm 21:05 pm

IRON MOUNTAIN ROUTE.

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Sen Antonic Express.
Texas and California Express.
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Low Angeles and San Francisko.
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Low Angeles and San Francisko.
California and Merico Express.
Hot Springs Shecial 12:39 pm 7:38 am
Texas and Mexico Express.
Hot Springs Ark: Dallas,
Fort Worth. Colorado,
Texas, Fort Worth, Dallas,
Fort Worth.
Texas, Fort Worth, Dallas,
Fan Antonio, Texarkana,
Hot Springs, Ark. and Lit.
Lie Rock.
Fast Mail—Little Rock, Texarkana,
Hot Springs, Ark., and Lit.
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Fast Mail—Little Rock, Texarkana,
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IRON MOUNTAIN ROUTE.

Eastern Lines.
Depart. Arrivo

\*7:16 am \*9:00 nm

Train.

lefferism City. Columbia.

lefferism City. Columbia.

Boonville. Sedalla. Fort.

Scott. Indian Territory and

Texas Express

The Katy Flyer," for Dallas. Fort Worth. Houston.

Galveston, San Antonio.

Mexico City and intermediate points.

City. Columbia.

Bomville, Sedalla, Kansaa, Indian Territory and Texas Express.

Missouri, Kansaa, Indian Territory and Oklahoma Flyer

and Jacksonville Lo-

is and St. Paul

cal Express Chicago Line

Cincinnati, Chicago and St. Louis Railway Company.

All the larger ticket brokers of the city are mentioned as defendants, and each and every member of cut-rate firms will have to appear in court to show reason why the injunction should not be granted. The company alleges that on various occasions, such as Dedication and Saenger-fest weeks, the losses sustained through scalping by all railroads entering St. Louis were considerable, and the petition asks that the benefit of the injunction, if granted, be shared in by all railroads.

The Big Four proposes to make exceptionally low rates to St. Louis during the Fair, but wishes to fix their excursion tickets so that the return coupons from all outside points cannot be used by any one but the original purchaser.

In case the injunction is granted, the company declares in its petition, it will give tourists going to all points west of St. Louis stopover privileges, making their fare from Eastern points at the regalar Exposition excursion rate, providing they agree to continue on to their destination.

The company alleges that it will lose \$5.000 on each ticket broker during the tination.

The company alleges that it will lose \$5,000 on each ticket broker during the World's Fair if they are allowed to buy and sell excursion tickets.

Injunctions are asked against Wasserman & Co., Claude & Schuback, Simon Steiner, Billings & Leonard, E. J. Glidersleeve, George L. Hirt, John J. Caffrey, Schuback & Sugg, the American Cut-Rate Ticket Company, Robert H. McCluskey and Walter S. Clinton.

"BIG FOUR" ASKS INJUNCTION.

To Prevent Senlping During World's

An injunction against the scalping

Circuit Court yesterday by the Cleveland,

Cincinnati, Chicago and St. Louis Rallway

NEW LISTINGS OF SECURITIES. Frisco and Southern Place Bonds

and Trust Certificates on 'Change. REPUBLIC SPECIAL. New York, Dec. 9.-The following new listings of securities were made to-day by the Board of Governors of the New York Stock Exchange: Southern Railway Company, \$700,000 addi-

Southern Hailway Company, \$100,000 additional Mobile and Ohio stock trust certificates, making a total of \$5,632,600.

Kansas City, Fort Scott and Memphis Railway Campany, \$881,000 additional 4 per cent guaranteed refunding mortgage coupon bonds, making a total of \$14,985,000.

St. Louis and San Francisco Railroad Company, \$1,589,000 additional 4 per cent guaranteed refunding mortgage coupon bonds, making a total of \$4,713,000.

a total of \$4,713,000.

The condensed general balance sheet of the St. Louis and San Francisco Railroad on September 20 shows as an asset \$1,663,-23 advanced to roads under construction, compared with \$2,164,917, according to the balance sheet on June 30. A new liability of \$2,39,000 is shown representing deferred payments on account of the O. & C. C. R. R. The funded debt on September 30 was \$76,506,925, compared with \$15,085,925 on June 30. The income account for the three months shows total gross earnings of \$9,-274,875 and net income of \$3,644,210.

TO FIX WORLD'S FAIR RATES. Association of General Passenge Agents to Meet in St. Louis.

New York, Dec. 9.-A meeting of the American Arsociation of General Pas-senger and Ticket Agents has been called for January 27 in St. Louis to discuss spe-cial rates for the Exposition, which is to open in that city next May. The rates to be fixed by this association will apply to every point in the United States.

-Wahash trainmen on the middle and west-ern divisions have been notified that the De-oember pay car will hand out the increase due from September 1, which will amount to 12 per cent.

rails.

—P. L. Wing for some years chief clerk in the office of the general superintendent of the Missouri, Kansas and Texas, has been appointed agent for that company in Okishoma City. K. R. Johnson, secretary to the general superintendent, has been appointed chief clerk to succeed Mr. Wing. -A four-car "special" on the Pittsburg and Lake Erie recently made the run from Youngs

town to Pittsburg in seventy minutes, the dis-tance being sixty-eight miles. This breaks all records over that stretch of track.

—W. F. Booth, general auditor of the Toledo, St. Louis and Western Railroad (Clover Leaf route), was in the city yesterday. —The Southern Pacific has abolished the pay car, and given notice that hereafter checks in payment of wages and salary will be mailed from the treasurer's office in San Francisco. —In Southampton, England, a new signal de-vice has met with favor. Below the semaphore arm is a rectangular box with a panel for dis-playing the number of the track for which the signal is cleared, one signal serving for eight tracks.

BECKHAM IS INAUGURATED. Eighteen Thousand Attend the Ceremony at Frankfort.

Frankfort, Ky., Dec. 8.-In the presof 18,000, and with claborate ceremonles, Governor J. W. C. Beckham was to-day, for the second time, inaugurated as Gov-ernor, making the third time he has taken the oath of that office.

Bankers Will Meet To-day REPUBLIC SPECIAL.
St. Joseph, Mo., Dec. 9.—Group 3 of the

Missouri Bankers' Association will hold its annual session here to-morrow. The business session will be held at the Commercial Club in the forenoon and a banquet will be given at the Benton Club at mght.

Several St. Louis bankers will attend, among them being H. A. Forman, president First National; H. P. Hillard, cashier Mechanics-National; Emison Chancellor, cashier American Exchange; Benjamin Goodman, Merchants-Lacide National, and J. A. Lewis, assistant cashier National Bunk of Commerce. Missouri Rankers' Association will hold its

JUNIOR LEAGUE.

Cabannes 3, Choctaws 2.
The following scores were made at the Royal
allevs:
CHOCTAWS.
Name. C. M. 1 2 3 4 5 Tl. Av. Gelshorn 5 II 50 49 63 75 33 22 50 2-5 Reaman 8 25 32 59 51 48 46 224 46 4-5 Lerot 8 25 44 41 48 226 41 3-5 41 14 15 226 41 3-5 41 15 15 15 15 15 15 15 15 15 15 15 15 15
Totale 60 97 139 261 261 210 250 1181 47 6-25 CABANNESS.
Name. C. M. 1 2 3 4 5 Tl. Av. Lippincott 9 23 49 43 54 43 54 253 50 3-5
Dickneite14 15 39 54 54 67 33 221 46 2-4 A. Bernet 8 25 43 38 48 52 58 233 47 3-5 Hernet 7 24 47 73 43 48 17 245 49 Preissman .11 3 52 55 55 46 58 238 53 3-5
Totals 69 77 227 286 254 243 246 1236 49 11-25
CATHOLIC LEAGUE.
Lintons 4, Casinos 1.
The following scores were made at the Acme allers:
Name. C. M. 1 2 3 4 5 Tl. Av. Steinmeyer. 11 37 31 37 35 48 40 186 37 1-5

Totals .....\$1 128 129 226 237 223 223 1181 47 8-25 Fanchons 4, Leos 1. FANCHONS.

Totals .....24 184 204 209 221 227 204 1037 42 7-25 The following scores were made at the Royalleys: Totals ..... 23 130 224 214 222 261 241 1162 46 13-25 LEONS.

### **PRESBYTERIANS WORK FOR UNION**

work, which will cost, Secretary Root estimates, \$11,140,095.

The United States Government stands ready to lend general aid to whatever competent interests undertake the work. It is hoped some large financial interests will undertake it. Otherwise, the Government will build the road itself.

Several proposals for the construction of the railroad have already been forwarded to Governor Taft. Representatives of Four Branches of the Church Meet at New York to Formulate Plan.

> New York, Dec. 9 .- A joint committee of representatives of four branches of the Presbyterian faith met here to-day to discuss the question of church unity in accordance with a resolution passed by the General Synod of the Reformed Presbyterlan Church at Philadelphia last year. The meeting organized by electing Doc-

Doctor James D. Steele secretary.

The subject of union was brought before the meeting in an informal interchange of formal proposition from the delegates of he Reformed Presbyterian Church, regarding matters in which concessions night be made by one or another of the treating bodies. This proposition was re-ferred to the Executive Committee, with instructions to report to-morrow.

A letter was read, stating that the body generally known as the Presbyterian Church, South, had declined the invitation to take part in the conference.

ARMENIAN PREACHER SHOOTS AT JUDGE.

Insane Clergyman Has Written Many Letters to President Roosevelt, Signing Himself "Jesus Christ."

REPUBLIC SPECIAL.

Freson, Cal., Dec. 9.—Ageb Gazerlan, an insane Armenian clergyman, to-day dashed suddenly into Superior Judge Austin's courtroom at the Court House, and, jerk-ing a revolver from his pocket, fired point blank at the Judge, who was on the bench at the time. Deputy Sheriff Paine and Court Clerk McCormick sprang over the railing and grappled with the maniac just as he raised his revolver above his head and pointed it toward himself.

Gazerian had been in court before and attempted to address the Judge in the American language. He was hustled from American language. He was hustled from the room. It was about 3 o'clock when he returned. He rushed into the courtroom very excitedry, yelling loudly and before any one could stop him he drew a revolver from his pocket and fired toward the Judge. Fortunately his aim was bad, the bullet slaking into the floor at the Judge's feet.

Over a year ago he began to write letters to prominent local people, to the newspapers, to the Governor and even to President Roosevelt, signing himself "Jesus Christ."

### "DUCKING" OF TEACHER CAUSES PNEUMONIA.

plis Nature of "Treat" May Cause Her Death.

Indianapolis, Ind., Dec. 9.-The stence of a custom in Cass Township. Sullivan County, which requires a teache to treat the pupils on the approach of the Miss Erline Sinclair yesterday, which has been followed by acute pneumonia and may result in her death.

Several days mgo the pupils of the school over which Miss Sinclair presided demanded the customary treat and she consented. They then demanded that she tell the nature of the treat, but she refused.

tell the nature of the treat, but she refused.

A renewal of the demand was made yesterday and when Miss Sinclair again declined she was overpowered by the larger
girls, taken to a pond, the ice broken and
she was thrust into icy water which
reached to her shoulders.

The scholars left her there helpless until her cries attracted some farmers, by
whom she was resouged.

Miss Sincilar was to-night pronounced in
a critical condition.

to-day was the hlargest in the history of the society and the programme was carried out with enthusiasm.

tory of the society and the programme was carried out with enthusiasm.

The society met in the lecture-room of the new Horticultural building, and the meeting was opened with invocation by the Beverend C. H. Winders. After the oppointment of the various committeemen the regular programme was taken up. R. J. Bugby of New Haven, Mo., who talked on the subject, "From Beedling to Orchard Trees," describing the best methods of seeding, oruning and grafting.

J. C. Evans of Harlem discussed the "Formation of Fruit Buds."

Daniel Lowmiller of Parkville read a paper on the subject, "Eighty Acres Enough." Mr. Lowmiller held that eighty acres was all that an orchardist should attempt to cultivate, and that better returns would be received from the thorough cultivation of a small orchard.

A. T. Nelson of Lebanon and T. H. Todd of New Franklin read papers on "Different Varieties and Their Respective Merits." Prui Evans of Mountain Grove talked on the "Value of Cover Crops."

Professor W. L. Howard of the horticultural department of Missouri University made a report on "Apple Crown Gall," the report embodying the result of original experiments and investigations made by himself. Only two of those on the Wednesday programme failed to respond.

The meeting this afternoon opened with

made by himself. Only two of those on the Wednesday programme failed to respond.

The meeting this afternoon opened with "The Expense of Marketing, the Gap Between the Producer and the Consumer," by G. T. Tippin of Nichols, and Louis Erb of Cedar Gap. Mr. Erb was not present, but sent his paper, which was read. They discussed methods whereby the cost of shipping could be lessened as well as damage by shipping obviated.

A. B. Matthews of Mayview sent a paper on "Effects of Thinning on Fruit Returns and Trees."

The remainder of the afternoon was devoted to a discussion of peaches and the following programme was carried out: "Orchard Experience, Spraying," L. J. Slaughter, Lake City; "Commercial Methods." T. M. Culver, Koshkonong; "The Peach in South Missouri," T. M. Graham, Cedar Gap, and G. W. Hopkins, Springfield: "The Peach in North Missouri." T. P. Halsey, St. Joseph, and H. W. Jenkins, Boonville; "The Best Peaches for Home." C. A. Emery, Carthage, and W. G. Gano, Parkville; "Results of Girdling Peach Trees," W. H. Chandler, Columbia.

FOLK AND DE ARMOND WILL MAKE SPEECHES.

> Club at Omaha Jap-BATY 1.

Omaha, Neb., Dec. 9.—The Jacks Club has secured its list of speakers for the annual banquet to be held January 1. Acceptances have been received from Sen-ator Newlands of Nevada, Congressman De Armond of Missouri, Congressman Hitchcock of this district, Joseph W. Folk, the eminent bribery prosecutor of St. Louis, and John M. Read of Des Moines, Ia., president of the Democratic organiza-tion of Polk County, Iowa. A. G. Ellick

tion of Polk County, Iowa. A. G. Ellick will speak as the representative of the local Democracy.

The place of holding the banquet has not yet been determined upon. This year's banquet bids fair to be the most elaborate affair of the kind held in many years. William Jennings Bryan usually responds to a toast at the annual banquet, but this year he will not be able to, owing to his absence in Europe.

#### TILLMAN WANTS POWER OF PRESIDENT DEFINED.

Proposes Resolution Which May Settie Right to Make Appointments Without Senate's Approval.

REPUBLIC SPECIAL Washington, Dec. 9.—Senator Tillman has drawn a resolution which he proposes to introduce, calling upon the Judiciary Committee to report upon the limit of the President's power in making appointments which require the consent of the Senate. puted right of the President to continue in office Federal officials whose nomina-

in office Federal officials whose nominations are not confirmed by the Senate.

Many of the constitutional lawyers in Congress dispute the right of the President to continue in office such persons as Doctor Crum, the negro Collector at the Port of Charleston.

The Crum case has become something of a national issue, and it is claimed that the action of the President in continuing Crum in office is contrary to that clause in the Constitution which provides that certain appointments may be made by and with the consent of the Senate.

Senator Tiliman holds that Doctor Crum is unlawfully performing the duties of Collector of the Port of Charleston, owing to the fact that the Senate has failed to confirm his nomination. There are other appointments on the same line now pending, and it is the intention of Senator Tiliman to have the Judiciary Committee pass upon the subject, so that the constitutional limits which define the relations between the President and the Senate in regard to Federal appointments may be clearly understood.

#### HARLAN W. WHIPPLE IS MADE PRESIDENT.

Scheme of Secretary of Automobile Association to Make Tours to St. Louis Fair Is Indorsed.

New York, Dec. 9 .- Announcement was made to-day by the secretary that the Board of Governors of the American Auian W. Whipple of East Orange, N. J., for the presidency of that organization.
Messrs. Whippie and Gillette, the secretary, named a committee for the selection of other officers. The annual meeting and election will take place in Chicago during he Automobile Show in that city, in Feb-

the Automobile Snow in that city, in res-ruary.

Mr. Gillette was the recipient to-day of many congratulations for having obtained the indorsement of the association of his scheme of great simultaneous automobile tours to the St. Louis Fair in 1904. He has been quietly working on the plans of the scheme for several weeks, and support al-ready has been assured from automobile owners all over the country.

#### **DECISION AGAINST** SPEED AND FLYNN.

cont Oil Inspectors Will Take an Appeal to the Supreme Court.

Jefferson City, Mo., Dec. 9.-Judge Hazell rendered a decision in the Circuit Court to-day against William J. Flynn for Court to-day against R. B. Speed for \$11,477.
\$5,919 and against R. B. Speed for \$11,477.
these amounts being for fees alleged to have been retained by these two Coal Oil Inspectors of St. Louis in excess of the amount allowed by law.

The defendants pleaded unconstitutionality of the law in reducing salaries. They flied demurrers to the petition of Attorney General Crow, which Judge Hazell overruled and entered judgment. The cases will be appealed to the Supreme Court at once for final adjudication.

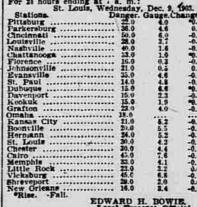
The case of Coal Oil Inspector Tracy of St. Louis, which involves a similar point, is to abide by the decision of the Supreme Court in these cases.

KANSAS CITY STUDENT AT ANN ARBOR A SUICIDE.

goods firm and one of the most prominent men in the city. Mr. McWilliams says that his son's act was undoubtedly the re-sult of overstudy. The boy entered the university at Ann Arbor at the age of 15.

RIVER NEWS.

Rise and Fall of the Rivers



EDWARD H. BOWIE, Local Forecast Official. River Forecast.

Harbor gauges yesterday marked 42 feet, in-leating a fall of 2 of a foot in 24 hours. Business along the levee yesterday was poor. Weather, snow.

To-Day's Weather. Arrived.

River Rialto Brevities. The report of the engineer of the Burling-bridge shows that 300 more steamers passed

# Announcement.

In order to accommodate those of our patrons who find it inconvenient to make their Christmas selections during the day,

> This Establishment Will Be Open Until 7 O'Clock

Every Evening This Week.

Mermod & Jaccard's, Broadway and Locust.

# HOLIDAY NOTICE

TO OUR CUSTOMERS.

We are in a position to supply you with the

FINEST IMPORTED AND DOMESTIC WINES, LIQUORS and CORDIALS

WHICH THE WORLD PRODUCES

We invite you to make your selection from the large assortment of PURE, healthful and invigorating goods contained in our 3 LARGE STORES AND 3 IMMENSE WINE

Place your order now and same will have our prompt at-

## JOHN BARDENHEIER WINE AND LIQUOR CO.

210-212-214 MARKET STREET, ST. LOUIS. MO:

ESTABLISHED 1873.

through the draw this season than in 1902.

The towboat Josie came in from Chester yesterday afternoon with a tow of logs. She was the only arrival during the day. -The steamer Fred Wilson at Pittaburg has been libeled for \$16,188.38 by the owners of the steamer Gleaner for alleged damages in a collision. The Chester is due from Cape Girardeau to-day. She will hereafter depart on Fridays instead of Thursdays as formerly.

—Captain John Warren and the crew of the Rees Lee arrived yesterday from Memphas, where the steamer has been laid up. A new shaft will be placed on the boat.

The Grey Earle is due to-day from Commerce and departs on the return to-morrow afternoon at 5 o'clock.

-Captain Bob McCoy and Captain John Warren were visitors at the harbor rooms yesterday.

Captain Charles Fiebig, a retired steam-boatman of Rock Island, Ill., is making a tour of the Southern river cities. —Captain George Keefs, a well-known St. Louis, Memphis and New Orleans pilot, died last Monday at Memphis.

ORCHARDISTS ENTHUSIASTIC.

Missouri Horticultural Society

Holds Important Meeting.

REPUBLIC SPECIAL.

Columbia, Mo., Dec. 9.—The first day's ession of the meeting of the Missouri Iorticultural Society closed to-night with seession in the university auditorium, hich was addressed by many prominent chardists. The attendance at the meeting was the seed to day was the block of the meeting of the Missouri Iorticultural Society auditorium, hich was addressed by many prominent chardists. The attendance at the meeting was the block of the meeting was the block of the meeting of the Missouri Iorticultural Society closed to-night with seession in the university auditorium, hich was addressed by many prominent chardists. The attendance at the meeting to day was the block of the meeting was the meeting to day was the block of the meeting of the Missouri Iorticultural Society closed to-night with seession in the university auditorium, hich was addressed by many prominent chardists. The attendance at the meeting to day was the block of the meeting to determine the me

reads 7.8 feet, and failing. Weather cooler and mowing.

Paducah, Ky., Dec. 5.—The gauge reads tonight 3.4 feet, and failing slowly. Light anow fell to-day, which melted as it fell, but indications are for rain or snow to-night. Joe Fowler to Cairo, \$ a. m.; Cryde to the TennesseRiver to-night, at \$ o'clock. The Henry Harley left for the Ohlo after corn at 4 p. m.
The United States lighthouse tender Golden 
Hod passed down to Cairo at 2 p. m. The 
United States steemer Lily will arrive here 
to-morrow and go into winter quarters. Local 
packets in and out on time. Business good on 
the whearf, Evansville packet due to-night. 
Surtington, Ia., Dec. 3.—The river is again 
failing, the stage showing a decline of 1½ 
inches. The stage is now 2 feet 5½ inches. 
Weather colder and snowing.

Weather colder and snowing.
Louisville, Ky., Dec. 9.—River stationary. In canal 3.7: on falls 1.5: below locks 5.8. Cloudy and cool.
Evansville, Ind., Dec. 9.—River falling; 4.5. Cloudy: snow; colder.
Pittsburg, Pa., Dec. 9.—River 3.6 feet; stationary. Snowing lightly.
Cincinnati, O., Dec. 9.—River stationary; 6 feet. Snowing and colder.
Wheeling, W. Va., Dec. 9.—River 3 feet; falling. Snowing.
Cape Girardeau, Mo., Dec. 9.—Weather cloudy, with light snows this afternoon. River falling. The Grey Engle and Chester up at 3 a.m. Warnaw, III., Dec. 2.—Gauge reads 4.5 feet; a rise of .1 in the past 24 hours. Cold and snowing.

Cairo, III., Dec. 2.—River gauge reads 7.5, showing a fall of .3 during the last 24 hours. Light anow and cold. The Government hoat Mars departed for Memphis at 10 2. m. The Government boat Lily arrived from the Upper Mississippi at 10:20 2. m. The City of Memphis arrived from St. Louis at 10:20 2. m. The Government Boat Colden Root arrived from the Upper St. South of the Tenasses Haver at 11:26 2. m. The Government boat Golden Root arrived from the Upper 2. 22:20 p. m. Captain G. H. Waith Colden Root arrived from the Upper at 2:20 p. m. Captain G. H. Waith Colden Root arrived from the Upper at 2:20 p. m. Captain G. H. Waith Colden Root Colden Root arrived from the Upper at 2:20 p. m. Captain G. H. Waith Colden Root Colden Root arrived from the Government spause. He found everything all right. Large figures were painted on the gauge down to the 2-foot mark and next year, when the gauge will be built to low water mark figures will be cut in the gauge to mark the feet and tenta. Captain Walbrecht left this morning for Memphis. Vickaburg, Miss. Dec. 2.—The gauge shows 6.3 on a stand. The Bells of the Bende is due. The Senator Cordill Cleared for Nathess. The Angelina M. cleared for Yasoo River. The Delta is due from Memphis. Weather clear and cold.

Florence Nokley, the 2-year-old daugh-ter of John Nokley of No. 1406 South Third atreet, who, with her father, mother, sister and brother was taken to the City Hospital a week ago with scarlet fever,

Misses' Mackintoshes.

2 Cape Blue Cashmere, velvet col-lar, waterproof and stylish, Price, \$2.50 and \$3.50. Boys' Mackintoshes.

Box Cont, velvet collar, water-proof; gray or tan. Price, \$2.06 and \$3.00. Children's Rubber Boots.

Can furnish any size, Price, \$1.25

Rubber Toys and Balls. A splendid stock to select from-We carry the American, German and Hungarian line. An inde-

structible gift. tain Coats.

The genuine Cravenette: tailor-made article. Price, \$7.50 to

DAY RUBBER CO. 415 NORTH FOURTH ST.

STEAMBOATS.

LOWER MISSISSIPPL

St. Louis, Chester, Cape Girardens Line. STR. CHESTER Will leave wharfboat, foot of Lo-cust st., every Monday and Friday at 5 p. m., for Cape Girardese and

intermediate landings.
JNO. E. MASSENGALE, Agest.
Phones: Main 1319 and Main 4A; Kinke 13
502 and A 112. Eagle Packet Co. STR. GREY EAGLE.

For Cape Girardeny, Commerce and intermediate points, every Monday and Friday, 5 M.

Foot of Vine St.

Phones: Main 322. Kinjoch 1396C.

died at that institution periorday. The three remaining members of the family are still confined to the hospital with the

MALLORY-DELOACH. REPUBLIC SPECIAL
Terrell, Tex., Dec. I.-Mr. C. B. Mallory as
Miss Lenn Deloach of this city were morte
here to-day, the Reversed W. B. Zanchi, actor of the First Baytist Church, edicating.

